

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Broadening Reissue Application of

Tetsuo MORITA and Satoshi KATO

Serial No.: Reissue Application of U.S. Patent No. 5,701,831 issued December 30, 1997
(U.S. Patent Application Serial No. 08/668,471 filed June 25, 1996)

Filed:

Docket No.: JAO 38013A-RE

For: HEADGEAR HOLDER FOR USE WITH SEWING MACHINE

REISSUE DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We, Tetsuo MORITA and Satoshi KATO, hereby declare that:

1. We are citizens of Japan with the addresses as stated below next to our names.
2. We have reviewed and understand the contents of the specification and claims
of the above-captioned reissue application and this reissue declaration.

3. We believe that we are the original and joint inventors of the invention
described and claimed in the reissue application, and that Tetsuo Morita is the original and
joint inventor of the invention described and claimed in U.S. Letters Patent No. 5,701,831,
which issued from U.S. Patent Application No. 08/668,471 filed June 25, 1996, which is a
Continuation-In-Part of U.S. Patent Application No. 08/605,794 filed February 22, 1996
(now U.S. Patent No. 5,649,496).

4. We claim the priority benefits of the following applications:

Japanese Patent Application No. 7-64772 filed February 27, 1995; and

09416985-101299
662107-5869160

Japanese Patent Application No. 7-163605 filed June 25, 1995; and

Japanese Patent Application No. 7-218454 filed August 28, 1995.

5. We acknowledge our duty to disclose information which is material to the examination of this reissue application in accordance with 37 C.F.R. §1.56(a).

6. We consider U.S. Patent No. 5,701,831 to be partly inoperative by reason of claiming less than we had a right to claim because the original claims are unduly limited and may not provide an adequate scope of protection.

7. At least claim 1 does not provide an adequate scope of protection because of its recitation of numerous extraneous elements. For example, the recitation in claim 1 of at least a pressing member and two fastening devices unduly limits the scope of protection afforded the invention.

8. Satoshi Kato was listed as an inventor of U.S. Patent Application Serial No. 08/605,794 (U.S. Patent No. 5,649,496), but was not listed as an inventor of its Continuation-In-Part, i.e., U.S. Patent Application Serial No. 08/668,471 (U.S. Patent No. 5,701,831) of which this application is a reissue. However, by virtue of the broader claims presented, Mr. Kato should be listed as an inventor of the reissue application.

10. All errors being corrected in this reissue application up to the time of filing this declaration arose without any deceptive intention on our part.

11. We hereby revoke all prior powers of attorney and appoint the following as our attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office:

James A. Oliff, Reg. No. 27,075; William P. Berridge, Reg. No. 30,024;

Kirk M. Hudson, Reg. No. 27,562; Thomas J. Pardini, Reg. No. 30,411;

Edward P. Walker, Reg. No. 31,450; Robert A. Miller, Reg. No. 32,771;

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James A. Oliff, Reg. No. 27,075; William P. Berridge, Reg. No. 30,024;

Kirk M. Hudson, Reg. No. 27,562; Thomas J. Pardini, Reg. No. 30,411;

Edward P. Walker, Reg. No. 31,450; Robert A. Miller, Reg. No. 32,771;

Mario A. Costantino, Reg. No. 33,565; and Caroline D. Dennison, Reg. No. 34,494.

All correspondence in connection with this application should be sent to Oliff & Berridge, PLC, P.O. Box 19928, Alexandria, Virginia 22320, telephone (703) 836-6400.

12. We have reviewed and understand the contents of this reissue declaration, and all statements made herein of our knowledge are true, and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize the validity of the application or any patent reissued thereon.

Date: October 7, 1999

Tetsuo Morita

Tetsuo MORITA

Residence: 4-11-10, Minamijuichiban-cho,

Address: Minato-ku, Nagoya-shi, Aichi-ken,
Japan

Date: October 7, 1999

Satoshi Kato

Satoshi KATO

Residence: 1-21-5, Shigeharahonmachi,

Address: Kariya-shi, Aichi-ken, Japan

09415995-101299

PAGE: 1

PATENT NUMBER: 5701831
SERIAL NUMBER: 08/668471
TITLE: HEADGEAR HOLDER FOR USE WITH SEWING MACHINE
APPLICANT: MORITA, TETSUO

ISSUE DATE: 12/30/97

FILING DATE: 06/25/96

REEL: 008144 FRAME: 0498 DATE RECORDED: 09/06/96 NUMBER OF PAGES: 002
ASSIGNOR: MORITA, TETSUO

EXC DATE: 08/28/96

ASSIGNEE: BROTHER KOGYO KABUSHIKI KAISHA
15-1, NAESHIRO-CHO, MIZUHO-KU, NAGOYA-SHI
AICHI-KEN, 467, JAPAN

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

RETURN ADDRESS: OLIFF & BERRIDGE
JAMES A. OLIFF
P.O. BOX 19928
ALEXANDRIA, VA 22320

NO MORE INFORMATION FOR THIS PATENT NUMBER 09/24/99 14:12



581/40

Assistant Commissioner
for Patents
Box Assignments
Washington, D.C. 20231

09-25-1996



U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Docket No. JAO 38013A

100279760

To the Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

1. A. Name of conveying party(ies):

Tetsuo MORITA

MRD.
9-6-96

B. Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. A. Name and address of receiving party(ies):

BROTHER KOGYO KABUSHIKI KAISHA
15-1, Neeshiro-cho, Mizuho-ku, Nagoya-shi
Aichi-ken, 467 JAPAN

3. A. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

B. Additional name(s) & address(es) attached?
☐ Yes ☒ No

B. Execution Date: August 28, 1996

4. A. If this document is being filed together with a new application, the execution date of the application is: _____

B. Patent Application No.(s)

08/668,471

C. Patent No.(s)

D. Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: James A. Oliff

Address: OLIFF & BERRIDGE
P.O. Box 19928
Alexandria, VA 22320

6. Total number of applications and patents involved: 1

7. A. Total fee (37 CFR 3.41).....\$40.00

B. Enclosed (Check No. 4057 _____)

8. Credit any overpayment or charge any underpayment to deposit account number 15-0461.

090 R 09/23/96 08668471

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40.00 CK

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Date: September 6, 1996

James A. Oliff - Registration No. 27,075
Eric D. Morehouse - Registration No. 38,565

Total number of pages including cover sheet, attachments, and document: 2

PATENT
REEL: 8144 FRAME: 0498

ASSIGNMENT

(1-8) Insert Name(s) of Inventor(s)

(1) Tetsuo Morita (5) _____
 (2) _____ (6) _____
 (3) _____ (7) _____ and
 (4) _____ (8) _____

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations paid to each of the undersigned, the undersigned agree(s) to assign, and hereby does assign, transfer and set over to

(9) Insert Name of Assignee (9) BROTHER KOGYO KARUSHIKI KAISHA
 (10) Insert Address of Assignee (10) 15-1, Naeshiro-cho, Mizuho-ku, Nagoya-shi, Aichi-ken, 467 JAPAN

(hereinafter designated as the Assignee) the entire right, title and interest for the United States of America as defined in 35 U.S.C. §100, in the invention, and in all applications for patent including any and all divisions, continuations, substitutes, and reissues, and all Letters Patent, extensions, reissues and reexamination certificates that may be granted on the invention known as

(11) Insert Identification, such as Title, Case Number or Foreign Application Number (11) HEADGEAR HOLDER FOR USE WITH SEWING MACHINE
 (Case No. JAO 38013A)

for which the undersigned has (have) executed an application for patent in the United States of America

(12) Insert Date of Signing of Application (12) on August 28, 1996

(13) Alternative Identification for filed applications (13) U.S. application Serial Number _____
 filed June 25, 1996

1) The undersigned agree(s) to execute all papers necessary in connection with the application and any continuing, divisional or reissue applications for the invention, and any patent(s) issuing thereon, and also to execute separate assignments in connection with such applications and patents as the Assignee may deem necessary.
 2) The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation or division thereof, or any patent or reissue application based thereon, and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.
 3) The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.
 4) The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain, maintain or confirm by reissue or reexamination a grant of a valid United States patent to the Assignee.
 5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said application or any divisional, continuing or reissue applications to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute, any agreements in conflict herewith.
 6) The undersigned hereby grant(s) the firm of OLIFF & BERRIDGE the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date AUG/28/1996 Name of Inventor Tetsuo Morita (SEAL)
 Date _____ Name of Inventor _____ (SEAL)
 Date _____ Name of Inventor _____ (SEAL)
 Date _____ Name of Inventor _____ (SEAL)
 Date _____ Name of Inventor _____ (SEAL)
 Date _____ Name of Inventor _____ (SEAL)

This assignment should preferably be signed before: (a) a Notary Public if within the U.S.A. (b) a U.S. Consul if outside the U.S.A. If neither, then it should be signed before at least two witnesses who also sign here:

Date AUG/28/1996 Witness Shihko Onishi
 Date AUG/28/1996 Witness Koji Hayashi

PATENT

RECORDED: 09/06/1996

REEL: 8144 FRAME: 0499

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Broadening Reissue Application of

Tetsuo MORITA and Satoshi KATO

Serial No.: Reissue Application of U.S. Patent No. 5,701,831 issued December 30, 1997
(U.S. Patent Application Serial No. 08/668,471 filed June 25, 1996)

Filed: Docket No.: JAO 38013A-RE

For: HEADGEAR HOLDER FOR USE WITH SEWING MACHINE

CONSENT OF ASSIGNEE TO REISSUE (37 C.F.R. §1.172(a))
AND OFFER TO SURRENDER LETTERS PATENT (37 C.F.R. §1.178)

Assistant Commissioner for Patents
Washington, D.C. 20231

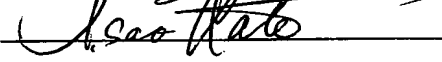
Sir:

The Assignee, Brother Kogyo Kabushiki Kaisha (by Assignment recorded in the U.S. Patent and Trademark Office (PTO) on September 6, 1996 at Reel 8144, Frames 0498-0499), of U.S. Patent No. 5,701,831 (issued December 30, 1997) hereby consents to this reissue application.

In accordance with 37 C.F.R. §1.178, Brother Kogyo Kabushiki Kaisha hereby offers to surrender U.S. Letters Patent 5,701,831 upon allowance of this reissue application.

The undersigned hereby confirms that he has authority to sign this document on behalf of the Assignee.

Date: October 8, 1999

Signature: 
Typed Name: Isao KATO
Title: Senior Managing Director